

**City of Warwick Planning Board
Meeting Minutes
Wednesday, August 20, 2012**

Members Present: Philip Slocum, Chairman
Vincent Gambardella, Vice Chairman
Laura Pisaturo
Cynthia Gerlach
Sue Stenhouse

Members Absent: John Mulhearn
Thomas Kiernan
James Desmarais
Steve Horowitz

Also in attendance: William DePasquale, Planning Director
Patricia Reynolds, Business Development Planner
Richard Crenca, Assistant Principal Planner
Eric Hindinger, Engineering Project Manager
Lidia Cruz-Abreu, Planning Specialist
Diana Pearson, Solicitor

Chairman Slocum called the meeting to order at 6:10 pm.

The order of business was changed.

Public Informational Meeting

**Major Land Development Project
305 Centerville Road
Office Building**

Applicant: Shoreline Properties, Inc.
Location: 305 Centerville Road and Orchard Avenue
Assessor's Plat: 247
Lot: 031
Zoning District: Residential, A-10
Proposed Zone: Office
Land Area: 23,337 square feet
Number of lots: One (1)
Engineer: Jeffrey J. Campopiano, PE
Ward: 9

Attorney Russell Bramley, of Haronian Bramley and Harrington, represented the Applicant, Shoreline Properties, Inc, to request Master Plan approval of a Major Land Development Project to convert a single family dwelling into professional office space. The Applicant is also requesting a recommendation to the Warwick City Council for a zone change from Residential A-10 to Office, with relief for less than required front yard setback, less than required setback from an abutting residential district, and less than required wetlands setback. Attorney Bramley explained that this lot was included in a

Comprehensive Plan amendment approved by the Warwick City Council supporting a rezone from residential to office use on the northerly side of Centerville Road, from the intersection of Tollgate Road to the Route 95 interchange.

The Applicant was also represented by Ms. Terri Gentes, Project Engineer, from the office of Jeffrey Campopiano. The Project Engineer reviewed the proposed project and explained that the Applicant will be preserving the existing dwelling and garage, constructing an addition to the dwelling and adding a new parking area. The Project Engineer testified that there is public water available for the lot but no public sewers available and that the Applicant will be installing an Onsite Wastewater Treatment System (OWTS).

Attorney Bramley testified that the abutting property owner has requested a stockade fence installed along the northerly property line (where there is no existing stone wall) and the Applicant has agreed to this request

Being no further testimony, a motion was made by Mr. Gambardella, seconded by Ms. Stenhouse to open the public hearing. All voted in favor. The Chairman asked if anyone present had comments or questions regarding this project. Ms. Lynda Carlo of 265 Orchard Avenue asked why it was necessary for the project to have relief.

Attorney Bramley responded that the relief was due to the siting of the existing building and the fact that the lot abuts a residential zone.

Being no further comments or questions from the public or the Board, the Chairman asked to have the Planning Department's findings and recommendation read into the record, with a stipulation being added regarding the installation of fencing along the northern property line of the subject parcel.

Mr. DePasquale read the revised findings and recommendation, as follows:

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations and,

1. Generally consistent with the Comprehensive Community Plan.
2. Not in compliance with the standards and provisions of the City's Zoning Ordinance therefore requiring City Council approval for a zone change from Residential A-10 to Office, with relief for less than required front setback, less than required setback from an abutting residential district, and less than required wetlands setback.
3. That the subject property is located on the northerly side of Centerville Road and the Westerly side of Orchard Avenue and is identified as Assessor's Plat: 247, Assessor's Lot: 031, and consists of approximately 23, 337 square feet.

4. That in December of 1997, the Warwick City Council approved PCO-30-97 amending the City's Comprehensive Plan to allow for the establishment of office use zoning designation in the area on the north side of Centerville Road, from intersection of Toll Gate Road to the Route 95 Interchange.
5. That 90 percent of the lots in this area (north side of Centerville Road) have been rezoned from Residential A10 to Office.
6. That the parcel abuts a residentially zoned lot, Assessor's Plat 247, Assessor's Lot 30 to the north, which is included in Comprehensive Plan Amendment, PCO-30-97.
7. That the paved driveway of Assessor's Plat 247, Assessor's Lot 30 encroaches on the subject parcel along the northerly property line.
8. That the existing building and the proposed addition are within the 50' wetlands buffer.
9. That there are existing historic stone walls on the subject parcel.
10. That in the 1700's, all the land from Apponaug west along Centerville was owned by the Greene family. It is likely that this building was constructed by Captain Samuel Greene, or his son Christopher Greene, circa 1722.
11. That there will be no significant negative environmental impacts from the proposed development.
12. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
13. That the proposed development has adequate access to a public street.
14. That the property does not have access to public sewer.

Planning Department Recommendation

Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That the applicant shall receive approval from the City Council for a zone change from Residential A-10 to Office, with the requested relief.
2. That a Storm Water Management Plan shall be designed in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development.

3. That all necessary State Permits, including but not limited to, a Rhode Island Department of Environmental Management Onsite Wastewater Treatment System, RI DEM Wetlands and a RI Department of Transportation Physical Alteration Permit, must be obtained prior to Preliminary Approval.
4. That the applicant shall received approval from the Warwick Historic District Commission for alterations to the existing stone walls and applicant shall provide text for the historic signage for review and approval by the Warwick Historic District Commission, prior to Preliminary Approval.
5. That prior to Preliminary approval, the project engineer shall revise the parking area layout to provide for one main ingress/egress point onto Orchard Avenue through the proposed 30: stone wall opening. The existing driveway shall be reduced in size, relocated further away from the intersection of Centerville and Orchard and be designated for emergency access, only.
6. That the project engineer shall indicate the dumpster location on the Preliminary Plan.
7. That the Preliminary Plan shall include a landscape plan designed and stamped by a Rhode Island Registered Landscape Architect and approved by the Warwick Landscape Project Coordinator.
8. That the proposal shall be limited to professional office use. No medical office use shall be allowed, without review and approval of a revised parking layout.
9. That the applicant shall receive approval from Kent County Water Authority, prior to obtaining a building permit.
10. That the project engineer shall meet with the Warwick Fire Marshall, prior to Preliminary Plan, to address minimum life safety requirements for the subject parcel.
11. That the applicant shall install stockade fencing along the northerly property line (Assessor's plat 247, Assessor's lot 30) to screen abutting residential property.

On the motion of Ms. Stenhouse, seconded by Ms. Pisaturo, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant Master Plan approval, with the Planning Department's recommended stipulations.

Zone Change Recommendation

**305 Centerville Avenue
Office Building**

Applicant: Shoreline Properties, Inc.
Location: 305 Centerville Road and Orchard Avenue
Assessor's Plat: 247
Lot: 031
Zoning District: Residential, A-10
Proposed Zoning: Office, with relief for less than required front setback, less than required setback from an abutting residential district and less than required wetlands setback.

Attorney Russell Bramley stated that a Comprehensive Plan amendment, PCO-30-97, was approved by the Warwick City Council to support the rezoning of the properties along the northerly side of Centerville Road from Tollgate Road to the Route 95 Interchange from residential to office use.

Mr. DePasquale read the Planning Department's findings and revised recommendations into the record, as follows:

Planning Department Findings

The Planning Department finds the proposed zone change to be in compliance with the City's Comprehensive Plan, as amended by the Warwick City Council, PCO-30-97, and the Goals and Policies Statement, the Implementation Program, the Land Use Element and the Economic Development Element, including, but now limited to the following:

- Encourage commercial and industrial development in Warwick that emphasizes business retention and expansion.
- Ensure the retention and expansion of existing business in Warwick.
- The Land Use element of the Comprehensive Community Plan, Chapter 5, Section 6 recognizes Centerville Road as a heavily traveled artery which in recent years has undergone substantial office expansion, particularly in the area of the Route 95 Interchange.

The Planning Department also finds the proposed zone change to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflects current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- A.) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
- E.) The availability and capacity of existing and planned public and/or private services and facilities.
- F.) The need to shape and balance urban and suburban development.

103.10 Promote a high level of quality in design in the development of private and public facilities.

The Planning Department recommends favorable recommendation to the Warwick City Council for the requested zone change from A-10 to Office with relief for less than required front setback, less than required setback from an abutting residential district, and less than required wetlands setback, with the following stipulation:

1. 1. That the proposal shall be limited to professional office use. No medical office use shall be allowed, without review and approval for revisions to parking area.
2. That the applicant shall install stockade fencing along the northerly property line of the subject parcel to screen the abutting residential property (Assessor's plat 247, Assessor's lot 30).

On the motion of Ms. Stenhouse, seconded by Mr. Gambardella, the Planning Board voted unanimously to formally adopt the Planning Department's findings and stipulations and to forward a favorable recommendation to the Warwick City Council for the requested zone change from Residential A-10 to Office, with relief.

At this time, the Chairman asked for a five (5) minute recess.

After conferring with the City Solicitor, the Chairman explained the issue regarding the Julian Road Master Plan application. Due to a conflict of interest, Ms. Pisaturo will be recusing herself from the discussion and voting and therefore there is not a quorum for the consideration of the Julian Road project. The reason for Ms. Pisaturo's recusal is that she is running for a State Senate seat in the district where this project is located. The Public Informational Meeting will be opened and continued to the next scheduled meeting of the Planning Board, September 12, 2012 at 6pm. Chairman Slocum explained that there will be no new notice sent out for this project and any interested parties should appear at that meeting in order to be heard.

The Project Attorney, Mr. Sanford Resnick, asked if the Applicant could have use of the room for an informal presentation of the project to the neighborhood. City Solicitor Pearson agreed to use of the room with the stipulation that no Planning Board members be present at the presentation.

Public Informational Meeting

Major Subdivision

Julian Road-Master Plan

Applicant: Kenneth Edward & Sandra Lee Olson
Michael C. Carreiro & Jennie A. McDowell
Paul and Elena Gallucci
Location: 103 Florin Street, 21 & 31 Bunting Road, & Julian Road
Assessor's Plat: 340
Lots: 291, 666 & 667
Zoning District: Residential, A-10 and A-7
Land Area: 4.80 acres
Engineer: DiPrete Engineering
Ward: 3

A motion was made by Mr. Gambardella to open and continue the Public Informational Meeting for Julian Road, Master Plan. The motion was seconded by Ms. Stenhouse. This application will be heard at the next regularly scheduled meeting of the Warwick Planning Board.

Zone Change Recommendation **Cellco Partnership**

Applicant: Cellco Partnership d/b/a Verizon Wireless, and
The City of Warwick
Location: 99 Veterans Memorial Drive, Warwick Police Station
Assessor's Plat: 245
Lot: 161
Zoning District: Office
Proposed Zoning: Office with a telecommunications tower, with relief

Attorney Joseph Hall and Mr. Dan Clark, Rhode Island Department of Transportation were present to represent the project.

Mr. Clark explained to the Board the history of the project, its tie to the Apponaug Circulator Project and the reason for the request. The Applicants are seeking a zoning amendment to allow for the installation of a new 190' telecommunications tower in order to relocate an existing Verizon telecommunications facility. This facility is currently located on the Apponaug water tank, which Mr. Clark testified is deteriorating and in danger of falling apart. The Apponaug water tank will be demolished and removed as part of the Apponaug Circulator Project, scheduled to begin in the spring of 2013.

Ms. Pisaturo asked about the time line for removal of the old tower once the new tower was installed. Attorney Hall responded that it is difficult to give an exact date or time because of the variables involved, but would prefer to look at defining a timeframe for removal of the tower after the existing carriers have been relocated to the new tower. Mr. Hall stated that since the existing carriers are tenants of the City, it would need to be a cooperative effort between all the parties to relocate these tenants.

Mr. Slocum asked Richard Crenca of the Warwick Planning Department, if he had any comments. Mr. Crenca stressed the importance of this proposal as a key element in allowing for the commencement of a roadway improvement project that has been over a decade in planning and design.

Mr. DePasquale read the Planning Department's Findings and Recommendation into the record as follows:

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements of the City's Development Review Regulations, and

- 1) In compliance with the City's Comprehensive Plan, including the Goals and Policies Statement, the Implementation Program, the Economic Development Element and the Transportation Element, specifically including the recommendation to work with the Rhode Island Department of Transportation on the design and construction of the Apponaug Bypass.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance, therefore, requiring City Council approval to have a higher than allowed telecommunications tower within two (2) miles of an existing facility, within 100 feet of a residential district, and within 50' of a wetlands edge, and with less than required landscape screening, in an Office Zoning District.
- 3) That there is an existing 178' monopole telecommunications facility at the Warwick Police Station municipal site, Assessor's Plat 245, Assessor's Lot 161, authorized on April 21, 1998 by Zoning Board of Review Petition #7987, and that this tower is necessary to provide communications with police and emergency vehicles.
- 4) That the site is the location of an existing public safety complex, including the Warwick Police Station and Warwick Fire Department headquarters.
- 5) That Verizon Wireless is currently located on the Apponaug water tower (AP 246, AL 298) which must be demolished and removed as part of the Apponaug Circulator Project presently being undertaken by Rhode Island Department of Transportation, with construction slated to begin in the spring of 2013.
- 6) That an engineering study was conducted by the applicant (Cellco), which determined that the existing monopole at the Warwick Police Station site has significant structural issues and is not capable of accommodating an additional carrier and will soon be in need of replacement.

- 7) That Rhode Island Department of Transportation, in conjunction with Verizon, explored several options for relocation of the water tower telecommunication facility, and has concluded the subject property (AP 245, AL 161) is the best available option.
- 8) That the area surrounding the subject property consists of retail, banking and office type uses.
- 9) That there will be no significant negative environmental impacts from the proposed development.

The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
 - B.) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
 - G.) The availability and capacity of existing and planned public and/or private services and facilities.

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zoning amendment from Office, to Office with a telecommunications facility, with relief for a higher than allowed telecommunications tower within two (2) miles of an existing facility, within 100 feet of a residential district, within 50' of a wetlands edge, and with less than required landscape screening, with the following stipulations:

- 1) That the applicant (Cellco) shall work with the Warwick Police Department on the location of Police Department communication equipment on the proposed tower.
- 2) That prior to appearing before the Warwick City Council, the applicant (Cellco) shall be required to prepare a lease agreement. Said lease agreement shall be subject to approval by the Warwick City Council, and shall address, but not be limited to, the following:
 - a.) The applicant (Cellco) shall be responsible for the cost of both the construction of the new tower (and ancillary ground facility), as well as the demolition of the existing tower.
 - b.) A determination of the party or parties responsible for the costs associated with relocating the existing carriers from the existing tower to the proposed

new tower, with the provision that the City shall bear no responsibility for any relocation costs.

- c.) A schedule for the relocation of the telecommunications carriers from the existing tower to the proposed tower, including a schedule for the relocation of the Verizon equipment from the Apponaug Water Tower to the proposed tower.
 - d.) A date certain for demolition and removal of the existing tower.
 - e.) Any items necessary to provide for compliance with any and all relevant sections of Warwick Zoning Ordinance, Section 506, Telecommunications Facilities and Towers.
- 3) That prior to issuance of a building permit, the applicant (Cellco) shall have all necessary Federal, State and Local permits.
 - 4) That the applicant (Cellco) shall submit a fee in lieu of landscaping to the City to be dedicated for landscape purposes, and to be calculated by the Landscape Project Coordinator, prior to the issuance of a Certificate of Occupancy
 - 5) That any additional expansion of this telecommunications facility shall require a Development Plan Review (DPR) to be approved by the Warwick Planning Board in Compliance with the City of Warwick Development Review Regulations.

On the motion of Ms. Stenhouse, seconded by Mr. Gambardella, the Planning Board voted unanimously to formally adopt the Planning Department's findings and stipulations and to forward a favorable recommendation to the Warwick City Council for the requested zone change from Office to Office with a telecommunications tower, with relief.

Actions by the Administrative Officer

A list of approved and recorded Administrative subdivisions were presented to the Board for informational purposes.

The meeting was adjourned at 7:10pm.